

REMARKS

Claim 21 has been amended to overcome the objection to such claim in that the proper antecedent for the blocking wall is in claim 20 rather than claim 18. Applicants thank the Examiner for bringing this to their attention.

The allowability of claims 2-10 is also noted with appreciation.

The Examiner has now cited a new patent reference (Beadle 6,497,592) and has rejected claims 1 and 11-21 as anticipated by Beadle.

In paragraph 9 the Examiner justifies this action as final by alleging that applicants prior amendments reinstated the new grounds. This isn't true at all and seems to be the usual early finality fiction. Moreover, the reference doesn't seem to address anything added by amendment.

Method claims 22-25 seem to be rejected as a "counterpart" of apparatus claimed, even though the Examiner clearly states "Beadle does not describe the method as claimed". No statutory provision, other than 103(a), or manual section, or Rule, or even an authority, is put forth to justify something as obvious from something not described.

As will be pointed out below, Beadle does not anticipate claims 1 and 11-21, and the method claims are submitted as allowable for the reasons indicated by the Examiner. Beadle simply does not show or describe the process.

An anticipation requires that the prior art reference must either expressly or inherently disclose each and every limitation in a claim. *Verdegaal Bros. v. Union Oil Co.*, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987); *In re Paulsen*, 31 USPQ 2d 1671, 1673 (Fed. Cir. 1994). The reference must also be enabling such that it puts the invention in the hands of one skilled in the art. *In re Sun*, 31 USPQ 2d 1451, 1453 (Fed. Cir. 1993) (unpub.); *In re Spada*, 15 USPQ 2d 1655, 1657 (Fed. Cir. 1991). Not only is all of the structure required, but also

each statement of function. *In re Weiss*, 26 USPQ 2d 1885, 1888 (Fed. Cir. 1993), which cites two CCPA cases to this effect:

The limitations which must be met by an anticipatory reference are those set forth in each statement of function. *RCA*, 730 F.2d at 1445 N.5, 221 USPQ at 389 n.5 (citing *In re Mott*, 557 F.2d 266, 194 USPQ 305, 307 (CCPA 1977)).

The Examiner is also invited to review Section 2131 of MPEP, entitled "ANTICIPATION--APPLICATION OF 35 U.S.C. 102(a), (b) and (e)."

First of all it should be noted that Beadle is not a distribution block which has one tap in and multiple taps out. It is rather a series of separate blocks separated by insulation ribs or partitions 20 (col. 1, line 65). This is true even in the dog leg embodiment of Figures 12 and 13 referred to by the Examiner. Each block has one tap in and one tap out.

Beadle shows neither a transparent cover providing visual access to respective ports (claim 1) or a conductive block having a main power connection and smaller tap connections, each connection comprising a socket with a blocking abutment at the end (claim 11).

Since Beadle does not anticipate the parent claims 1 and 11, there is really no need to discuss dependent claims, but many of those claims also recite features not shown in Beadle.

With reference to claim 1, Beadle certainly recognizes the problem. At Col. 2, lines 21-25, Beadle indicates:

"..., making clear visual confirmation of the connection difficult. Most terminal connections are of a blind type which do no (sic) allow the installer to visually confirm the connection by seeing the conductors pass under the set screws."

And at the end of the column Beadle recites as an advantage that the connector "...provides means for visual confirmation of a connection."

The issue then is how does Beadle accomplish this. It is believed apparent from the Beadle disclosure that Beadle does this with the hinged cover 16 open and by avoiding any sort of blind hole, or even a step at a window in the back of the hole.

For example, at Column 5, line 55, Beadle indicates:

“ Generally, during installation, hinged cover 16 will be lifted or completely removed, allowing the installer ready access to all terminal blocks 22 to ensure secure connections. After installation, the installer will close and attach the hinged cover 16 to restrict access to the terminal blocks 22 and, thus, live connections. As shown, holes 46 in hinged cover 16 overlie only the stepped-down voltage connections 62, preventing access entirely to the higher input voltage and, thus, eliminating the most significant safety hazard.”

In connection with the above, the higher input voltage blocks don't have any holes 46. The holes 46 are for the stepped down voltage blocks only.

The hinge cover is open or removed during installation.

In Beadle, each individual block is separated by the insulators and each is provided with a through-bore 38. At Col. 6, line 27, Beadle indicates:

“Bore 38 extends horizontally through the body of the block, exiting from the rear face, allowing the user to readily visually confirm complete insertion and proper contact for all wires to be connected in the terminal block.”

It should also be noted that Beadle cautions against the risk of missing or bending a few wires (Col. 6, line 33). This is of course consistent with Beadle avoiding any stop or abutment at the non-existent end of a through-hole in the individual blocks. The only thing that would stop or bend the wires

is the back wall of the terminal block retainer seen, for example, in Figures 3 and 7. Even the head 28 of the fastener is clear of the through-hole 38.

It is also apparent that the increased spacing of the main body of each individual block from the back wall of the terminal block retainer is to permit visual access when the cover is open or removed. However, that spacing and the through-hole doesn't ensure that the set screw won't come down on insulation since the blocks contain no gauge stop. The proper positioning of the wire end is still partly by guess and may involve the removal of excess insulation.

A hole of course, isn't something of substance and cannot have structural or functional correspondence to something of substance, namely a transparent cover. The holes in the cover of Beadle are mostly blocked by a set screw or a tool for turning that screw. One can only imagine trying to peek through a partially blocked hole in an opaque cover, especially with the box mounted in a service cabinet or closet on the side of a building or garage (col. 1, line 65 to col. 2, line 1). Even a flashlight wouldn't help. The access holes normally blocked by what they are intended to accommodate are not a transparent cover, nor do they make an opaque cover transparent. Nor is there any teaching in Beadle of a gauge stop.

Moreover, it is the exact situation Beadle describes as a segue to his "making clear visual confirmation of the connection difficult," quoted above, which the Examiner now says is an anticipation of applicant's solution to the problem. Beadle readily acknowledges that an opaque cover with screw holes mounted in obscure, often dark locations is the problem. This is exactly what Beadle describes as "...making clear visual confirmation of the connection difficult." (see the entire sentence beginning at col. 2, line 18).

Obviously, a one tap in, one tap out block isn't a block with a main power connection and smaller tap connections, nor is a through-hole, or through-bore a socket with a blocking abutment at the inner end to ensure proper insertion, and protect against over insertion.

Also, it is believed apparent that the individual blocks of Beadle don't have an opening at the missing blocking abutment.

Going on to claims 12-14 as indicated above, Beadle does not have a transparent window. Even the dog leg version of Beadle does not provide offset rows with the lower end of the sockets of at least one row partially blocked by the adjoining row.

Nor does the non-existent partially blocking wall have the configuration of claim 21.

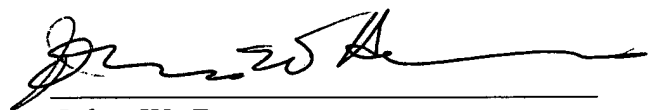
Beadle isn't even close to the claims rejected as an anticipation.

In view of the foregoing and in the absence of further art, this application is submitted as in condition for final allowance.

Since the amendment to claim 21 above overcomes a claim objection it is requested this amendment be entered for appeal purposes.

Should any deficiencies or overpayments occur in the filing fees of the subject amendment, authorization is hereby given to charge Deposit Account Number 18-0988.

Respectfully submitted,



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